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1762

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:  
Krishnan Chari, et al

**RANDOM ARRAY OF  
MICROSPHERES**

Serial No. 10/092,803

Filed 07 March 2002

Group Art Unit: 1762

Examiner: Jennifer K. Michener

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Carol A. Kukurudza*  
Carol A. Kukurudza

*January 17, 2005*  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Transmitted herewith is an amendment in the above-identified application:

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		* HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL		MINUS	20	0	X 50	\$0
INDEP		MINUS	3	0	X 200	\$0
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				+ 360	\$ 0
					<b>TOTAL</b>	<b>\$0</b>

\* The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

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☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

(For Extensions of Time and other Petitions to the Assistant Commissioner)

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.



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In re Application of:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 1762

Examiner: Fletcher III, William P.

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**REQUEST FOR RECONSIDERATION**

In response to the Office Action mailed December 16, 2004,  
Applicants provide the following remarks for consideration.

Claims 1-30 are pending. Applicants thank Examiner Fletcher for reconsideration and withdrawal of the previous rejections under 35 U.S.C. §103(a).

Claims 1-30 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Patent Office asserts the phrase "allowing the at least one crosslinking agent to migrate into the receiving layer" is not supported by the specification as filed. For at least the following reasons, Applicants traverse the rejection.

Applicants refer the Patent Office to the specification at page 7, line 3, through page 8, line 4, which describes the coating of the microspheres on the support, and fixing of the microspheres in the support by crosslinking of the support, evaporation of water, and further cross-linking of the support. In particular, Applicants refer to page 7, lines 6-13, which read as follows:

An aqueous suspension of microspheres containing a cross-linker for the gelling agent is then spread over the receiving layer. ... ***The fluid in the aqueous suspension solvates the gelling agent in the receiving layer*** and facilitates settling of the microspheres into the receiving layer. ***By "solvate" is meant the binding of one or more molecules of the suspension fluid to molecules of the gelling agent in the receiving layer.*** (Emphasis added)

As described, the aqueous suspension containing the cross-linker solvates the gelling agent in the receiving layer. That is, the cross-linking agent migrates into and binds to the gelling agent of the receiving layer. This is further supported at page 7, line 30, through page 8, line 3, which reads:

After the array has been fully fabricated on the coating device, ***the cross-linking reaction of the gelling agent initiated earlier by addition of the cross-linker*** may go to completion to permanently fix the micro-spheres in place. (Emphasis added)

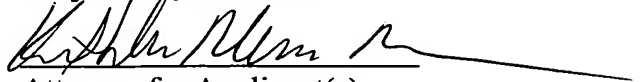
As stated, the cross-linking reaction of the cross-linker with the gelling agent is completed after evaporation of water from the array. The cross-linking was "initiated earlier by addition of the cross-linker" to the gelling agent, a reference to the coating of the aqueous suspension containing the cross-linker onto the receiving layer. If the coating of the aqueous suspension containing the cross-linker merely stayed on the surface of the receiving layer, the cross-linker would not have been added to the gelling agent, and would not have solvated the gelling agent. This is in direct contradiction to the teachings of the specification as filed, as demonstrated herein and by a reading of pages 7 and 8 of the specification as filed.

Reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph, in view of the above arguments are in order, and are respectfully requested.

For at least the reasons set forth above, Applicants submit all of Claims 1-30 are in condition for allowance. Prompt and favorable action are respectfully requested.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Kathleen Neuner Manne', is written over a horizontal line.

Attorney for Applicant(s)

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